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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/764,044	01/17/2001	Thomas Breymeyer	END920000118US1(13996)	5682
7590	10/15/2004		EXAMINER	
Richard L. Catania., Esq. Scully, Scott, Murphy & Presser 400 Garden City Plaza Garden City, NY 11530			NGUYEN, DUSTIN	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/764,044	BREYMEIER ET AL.
	Examiner	Art Unit
	Dustin Nguyen	2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 06 July 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____

DETAILED ACTION

1. Claims 1 – 18 are presented for examination.

Response to Arguments

2. Applicant's arguments filed 07/06/2004 have been fully considered but they are not persuasive.
3. As per remarks, Applicants argued that LeGall does not disclose or suggest forming a page address from the names of said database and said form.
4. As to this point, LeGall discloses a system that provides a user with the tools to define the display and organization of information from a variety of information sources [i.e. scratch pad] [col 1, lines 29-47; and col 4, lines 10-30]. Furthermore, LeGall discloses information that user places on the scratch pad can be used to generate the user's world, which can be displayed on any web browsers [col 3, lines 35-58].
5. In addition, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the same form, Applicants' remarks, page 9, line 10) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification

are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.
The page manager form as disclosed in the claim is not mention in the specification.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hearn et al. [US Patent No 6,605,122], in view of LeGall et al. [US Patent No 6,081,263].

10. As per claim 1, Hearn discloses the invention substantially as claimed including a method of displaying data from a database onto a page, comprising the steps of:

providing in said database a view having data therein [col 3, lines 33-45; and col 8, lines 15-18];

providing in said database a configuration document describing characteristics of said page [col 6, lines 55-67; and col 12, lines 47-67];

providing in said database a form for reading said configuration document [col 16, lines 16-24], for retrieving data from said view [col 21, lines 4-16], and for placing said data on said page as described in said configuration document [Abstract; and col 3, lines 1-19].

Hearn does not specifically disclose

forming a page address from the names of said database and said form;

and selecting said page address to display said data on said page.

LeGall discloses

forming a page address from the names of said database and said form [820, Figure 8A; and col 5, lines 29-33];

and selecting said page address to display said data on said page [585, Figure 5; and col 5, lines 62-65].

It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Hearn and LeGall because LeGall's teaching of page address would allow to introduce the portability to the system so that information can be viewed from different location.

11. As per claim 2, Hearn discloses the step of providing a key for locating the configuration documents [i.e. field] [col 13, lines 10-45].
12. As per claim 3, Hearn discloses the step of accessing said page [col 8, lines 8-28], and wherein the step of providing the key includes the step of providing the key when the page is accessed [col 8, lines 30-51].
13. As per claim 4, Hearn discloses the view includes a multitude of data sets and the configuration document includes a multitude of instruction sets for displaying data on the page [col 27, lines 56-63], and further including the steps of selecting one of the data sets and one of the instruction sets [col 27, lines 64-col 28, lines 2], and displaying the selected data set on said page in accordance with the selected instruction set [Abstract; and col 3, lines 1-11].
14. As per claim 5, Hearn does not specifically disclose the data sets and the instruction sets are listed on the form, and the step of selecting one of the data sets and one of the instruction sets includes the step of identifying on the form the selected data sets and the selected instruction sets. LeGall discloses the data sets and the instruction sets are listed on the form, and the step of selecting one of the data sets and one of the instruction sets includes the step of identifying on the form the selected data sets and the selected instruction sets [Figures 8A-B; and col 7, lines 29-60]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Hearn and LeGall because LeGall's teaching

would allow user to configure and combine multiple types of information to be displayed on a single page.

15. As per claims 6-10, they are apparatus claimed of claims 1-5, they are rejected for similar reasons as stated above in claims 1-5.

16. As per claims 11-15, they are program product claimed of claims 1-5, they are rejected for similar reasons as stated above in claims 1-5.

17. As per claim 16, Hearn does not specifically disclose accessing the page manager form, and in response, the page manager form, obtaining contents to display on said page. LeGall discloses accessing the page manager form, and in response, the page manager form, obtaining contents to display on said page [i.e. translating scratch pad into HTML document using "HTML generator"] [col 8, lines 9-34]. It would have been obvious to a person skill in the art at the time the invention was made to combine the teaching of Hearn and LeGall because LeGall's teaching would allow information to be display according to user's requirement in an efficient manner.

18. As per claim 17, LeGall discloses providing a key for locating the configuration document [i.e. tag] [col 4, lines 31-48]; providing said URL to access said page, including the step of passing said key as part of said URL [Figure 8B; and col 4, lines 61-67]; and in

response to passing said key, locating the configuration document, and displaying configuration data in the configuration document [col 5, lines 50-col 6, lines 26].

19. As per claim 18, LeGall discloses changing configuration data in the configuration document via said display of configuration data [Figure 4; and col 4, lines 11-30].

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Follansbee John can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dustin Nguyen
Examiner
Art Unit 2154



JOHN FOLLANSBEE
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